IN THE CLAIMS

Under 37 C.F.R. § 1.121(c)(1)(i), please rewrite Claims 35-38 as follows:

(Amended) 35. A computerized method for administering a variable annuity plan having a guaranteed minimum payment feature associated with a systematic withdrawal program, and for periodically determining an amount of a scheduled payment to be made to the owner under the plan, comprising the steps of:

a) storing data relating to a variable annuity account, including data relating to at least one of an account value, a withdrawal rate, a scheduled payment, a payout term and a period of benefit payments;

b) determining an initial scheduled payment;

c) periodically determining the account value associated with the plan and making the scheduled payment by withdrawing that amount from the account value;

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d) monitoring for an unscheduled withdrawal made under the plan and adjusting the amount of the scheduled payment in response to said unscheduled withdrawal; and

e) periodically paying the scheduled payment to the owner for the period of benefit payments, even if the account value is exhausted before all payments have been made.

(Amended) 36. The method of Claim 35, wherein the amount of the scheduled withdrawal payment is determined by the following formula:

Scheduled Payment = Account $Value_o$ x WD Rate

Where: Scheduled Payment = dollar amount of the scheduled payment

Account Value_o = initial account value

WD Rate = % of the initial account value used to determine the initial scheduled payment.

(Amended) 37. The method of Claim 35, wherein the account value is periodically determined by the following formula:

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$$\text{Account Value}_{t+1} = \text{Max}[(\text{Account Value}_t - \text{Withdrawal}), 0] \times (1+i)$$

Where: $\text{Account Value}_{t+1}$ = account value at time t+1

Account Value_t = account value at time t

Withdrawal = dollar amount of the scheduled payment at time t

i = net fund performance during period t to t+1.

(Amended) 38. The method of Claim 35, wherein the scheduled payment is adjusted in response to an unscheduled withdrawal, according to the following formula:

$$\text{Scheduled Payment}' = \text{Scheduled Payment} \times (1 + \text{USWithdrawal}_t/\text{Account Value}_t)$$